

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

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Federal Communications Commission  
 Office of Secretary

In the Matter of	)	
	)	FO Docket No. 91-301
Petition for Declaratory Relief and	)	FO Docket No. 91-171
Waiver of the Commission's	)	
Emergency Alert Equipment	)	
Requirements for	)	
Cable Television Systems	)	

To: Chief, Technical & Public Safety Division  
 Enforcement Bureau

**SUPPLEMENT TO**  
**PETITION FOR DECLARATORY RELIEF AND/OR WAIVER**

Charter Communications, Inc. ("Charter"), by its attorneys, hereby seeks to supplement the Petition for Declaratory Relief and/or Waiver that it submitted on August 14, 2002, regarding the Commission's Emergency Alert System ("EAS") rules. That Petition requested the Commission declare that Charter can satisfy the EAS rules by utilizing a satellite communications system to deliver EAS messages to approximately 146 cable systems ("Participating Systems") rather than installing a full set of EAS equipment at each of the Participating Systems.

It has come to our attention that certain questions may exist regarding the pending Petition. In particular, the original Petition did not identify the specific broadcast sources that would be monitored to provide EAS alerts. The three sources monitored at the satellite uplink site would be WEDW, 88.5 MHz (Stamford, CT, non-commercial FM); WKHL, 96.7 MHz (Stamford, CT, commercial FM); and WSTC, 1400 KHz (Stamford,

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CT, commercial AM). These sources are all designated under the Connecticut EAS State Plan.

We understand that there also may be uncertainty as to the impact of Charter's proposal on standard weekly and monthly EAS testing. The technological underpinnings of the proposal and the economic efficiencies sought to be gained are, in fact irreconcilable with testing at each of the Participating Systems. Accordingly, Charter seeks to include in its Petition express authority to conduct the standard EAS testing by alternative means. In particular, testing would occur only at the uplink site, rather than at each of the Participating Systems. To facilitate compliance monitoring, a network connection between the uplink site and Charter's corporate offices would be maintained, so that an *electronic log of EAS testing would be maintained at the corporate offices*, in addition to the testing print-out at the uplink site.

By conducting standard tests at the uplink site (and electronically transmitting the results to the corporate office) Charter would be able to provide assurance the EAS message was received and processed at the input site to Charter's satellite network. The satellite network would then necessarily convey the EAS message to each of the Participating Systems. Because the same satellite transmission would be delivering both the EAS message and video programming, there is no need for duplicative tests at each site. *If there were any interruption in the satellite delivery of video programming to any of the Participating Systems*, Charter certainly would be alerted to the problem by a variety of means unrelated to EAS. In addition to customer calls for any video service disruption, Charter routinely monitors the satellite transmission at its corporate offices to verify proper operation. Again, a breakdown in the satellite transmission would be

verify proper operation. Again, a breakdown in the satellite transmission would be identified immediately.

### **Conclusion**

For the reasons explained above and in the Petition filed on August 14, 2002, Charter respectfully requests that the Commission declare that Charter's proposal (including an exception to system-specific testing) is an acceptable means for satisfying EAS obligations at the Participating Systems.

Respectfully submitted,

**Charter Communications, Inc.**

By: \_\_\_\_\_

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